IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.563 OF 2007

Suman Sambhaji Shinde & Ors. .. Petitioners.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.M.V.Holamagi for the petitioners.
Mrs.U.V.Kejariwal APP for the respondents.

CORAM : SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.
DATED : 5TH JUNE, 2007.

P.C.:

. Heard learned counsel for the petitioners and learned A.P.P. for the respondent-State.

2. The basic grievance of the petitioner is that no offence is registered by the police pursuant to their complaint. We have heard Mr.Holmagi, learned counsel appearing for the petitioners at great length. We have also heard learned A.P.P. The learned A.P.P. on instructions from S.D.Adhari, Head Constable, Wadgaon Mawal police station states that the offence is committed on 24.12.2006. The letter sent by the petitioners was received by Wadgaon Mawal police station on 22.2.2007. The police registered offence on 28.2.2007 under sections 324, 326, 504, 506 read with section 34 against four accused. The accused were arrested and they were subsequently released on bail. The charge-sheet has been filed in

the court on 27.3.2007 being C.C.No.82 of 2007. The learned A.P.P. on instructions further stated that in respect of cross complaint filed by the petitioners, N.C. has been registered by Wadgaon police station on 28.12.2006. Chapter proceedings have also been initiated against the petitioners and others. The learned A.P.P. states that this complaint is filed by the accused - Suman Shinde. The learned A.P.P. states that Chapter proceedings are also initiated against Dadu Bhalerao and six others. In view of this statement which we have recorded, we are of the opinion that the present petition has worked itself out. Since the charge-sheet is filed the petitioners will be at liberty to adopt any appropriate proceedings as they may be advised for alteration of charge. The petitioners will also be at liberty to challenge Chapter proceedings initiated against them if they are so advised. We make it clear that we have not expressed any opinion on the merits of the case. The petition is disposed of in the aforestated terms.

(SMT.RANJANA DESAI, J.)

(D.B.BHOSALE, J.)